



ATTORNEYS AT LAW



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugaisky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Heidi L. Kraus
Edward W. Yee
Albert L. Ferro*
Donald R. Banowitz
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Eldora Ellison Floyd
Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beaston
Kimberly N. Reddick
Theodore A. Wood

Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cotttingham
Christine M. Uhliier
Rae Lynn Prengaman
Jan Shershenovich*
Lawrence J. Carroll*
George S. Bardmesser
Daniel A. Klein*
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller*
LuAnne M. DeSantis
John J. Figueira
Ann E. Summerfield
Tiera S. Coston*
Aric W. Ledford*

Michael D. Specht
Jessica L. Parezo
Timothy A. Doyle*
Cynthia M. Bouchard
Nicole D. Dretar*
Ted J. Ebersole
Registered Patent Agents*
Karen R. Markowitz
Nancy J. Leith
Helene C. Carlson
Gaby L. Longsworth
Matthew J. Dowd
Aaron L. Schwartz
Mary B. Tung
Katrina Y. Pei Quach
Bryan L. Skelton
Robert A. Schwartzman

Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford
Eric D. Hayes
Michelle K. Holoubek
Robert H. DeSelms
Simon J. Elliott
Julie A. Heider
Mita Mukerjee
Scott M. Woodhouse
Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie
*Admitted only in Maryland
†Admitted only in Virginia
‡Practice Limited to
Federal Agencies

August 5, 2004

WRITER'S DIRECT NUMBER:
(202) 772-8679
INTERNET ADDRESS:
TSHEA@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop Missing Parts

Re: U.S. Utility Patent Application
Appl. No. 10/761,435; Filed: January 22, 2004
For: **Fusion Constructs and Use of Same to Produce Antibodies With Increased Fc Receptor Binding Affinity and Effector Function**
Inventors: UMAÑA *et al.*
Our Ref: 1975.0180003/TJS

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated April 5, 2004, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Petition for Extension of Time Under 37 C.F.R. § 1.136(a);
2. PTO Fee Transmittal Form PTO/SB/17;
3. Copy of the Notice to File Missing Parts;
4. Preliminary Amendment Under 37 C.F.R. § 1.115;
5. Paper and computer readable copy of Sequence Listing;
6. A facsimile copy of an original Declaration, executed by the inventors;
7. A facsimile copy of an original executed Power of Attorney from Assignee;
8. A facsimile copy of an original executed Assignee 37 C.F.R. § 3.73(b) Statement with copy of Assignment attached;
9. Return postcard; and

Commissioner for Patents
August 5, 2004
Page 2

10. PTO-2038 Credit Card Payment Form for \$ 4,433.00 to cover:

\$ 385.00 Filing Fee for Patent Application (37 C.F.R. § 1.16);
\$ 210.00 Extension of time fees (37 C.F.R. § 1.136);
\$ 65.00 Surcharge for late filing fee or Declaration (37 C.F.R. § 1.16); and
\$ 3,773.00 Fee for excess claims (37 C.F.R. § 1.16).

Applicant claims small entity status (37 C.F.R. § 1.27).

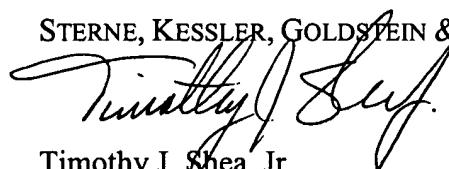
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In accordance with 37 C.F.R. § 1.821(f), the paper copy and the computer readable copy of the Sequence Listing submitted herewith are the same. In accordance with 37 C.F.R. § 1.821(g), the submission of this sequence listing includes no new matter.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

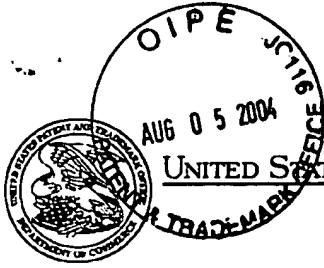
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Timothy J. Shea, Jr.
Attorney for Applicants
Registration No. 41,306

TJS/slw
Enclosures

296194_1.DOC



JF/JS

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/761,435	01/22/2004	Pablo Umana	1975.0180003

26111
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

CONFIRMATION NO. 3728

FORMALITIES LETTER



OC000000012279953

Date Mailed: 04/05/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/06/2004 MBLANCO 00000002 10761435

FILED UNDER 37 CFR 1.53(b)

01 FC:2001	385.00	OP
02 FC:2201	559.00	OP
03 FC:2202	3069.00	OP
04 FC:2203	145.00	OP
05 FC:2051	65.00	OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$9148** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

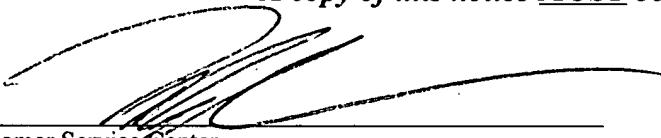
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$10048** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$9148**
 - **\$1118** for 13 independent claims over 3.
 - **\$7740** for 430 total claims over 20.
 - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE